

# San Francisco Bay Conservation and Development Commission

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**TO:** Bay Fill Policies Working Group Members

**FROM:** Steve Goldbeck, Deputy Director (415/352-3611; [steve.goldbeck@bcdc.ca.gov](mailto:steve.goldbeck@bcdc.ca.gov))

Brenda Goeden, Sediment Program Manager (415/352-3623; [brenda.goeden@bcdc.ca.gov](mailto:brenda.goeden@bcdc.ca.gov))

**SUBJECT: June 16, 2016 Commission Bay Fill Policies Working Group Meeting Summary**

**1. Roll Call, Introductions and Approval of Agenda.** Bay Fill Policies Working Group (BFPWG or Working Group) Chair Barry Nelson called the meeting to order at the Port of San Francisco Board Room, Second Floor, Ferry Building, San Francisco, California, at 11:07 a.m. and asked everyone to introduce themselves.

Working Group members in attendance included Chair Barry Nelson and Commissioners Jason Brush, Katerina Galacatos, and Jim McGrath. Staffs in attendance were Brenda Goeden and Steve Goldbeck. Also in attendance were Matt Brennan, PhD, (Environmental Science Associations), John Coleman (Bay Planning Coalition), Jill Singleton (Cargill), and Anne Whittington (Port of Oakland). Brenda Goeden, the Sediment Program Manager, introduced Alex Braud, from the National Oceanic and Atmospheric Administration (NOAA) Fellowship program in South Carolina, who will begin his fellowship with the BCDP in August.

**2. Approval of Working Group Summary from the March 17, 2016, and May 19, 2016 meetings.** The Working Group members approved the meeting summaries for March 17, 2016, and May 19, 2016.

**3. Follow Up Discussion from the Commission's Sea Level Rise Workshop.** Steve Goldbeck, Chief Deputy Director, stated Commission Chair Zach Wasserman set up a series of workshops on items that address sea level rise that can be done sooner, including updating policy, and to begin working on a regional strategy. As a result of the Commissioner workshops, Staff put together a series of recommendations for Commission action such as continuing to work on the long-term goal of regional resilience while simultaneously working in the short- and medium-terms on changing existing laws and policies.

Commissioner Jim McGrath asked when staff will present the changes the Commission agreed upon during the workshops. Mr. Goldbeck stated staff is creating a draft work plan of the six points to present to the Commission in July. John Coleman, of the Bay Planning Coalition, asked if these recommendations will go back to the Policies for a Rising Bay Steering Committee that has been part of the process. Mr. Goldbeck stated that the Policies for a Rising

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**BAY FILL POLICIES WORKING GROUP SUMMARY**

**June 16, 2016**

Bay work would be addressed later today at the Commission meeting. That work was funded out of the NOAA grant, which will be completed the end of June. Mr. Goldbeck suggested that this Working Group is a good group to discuss the details of the Commission Workshops recommendations before bringing it to the Commission.

Commissioner McGrath asked if there is funding to at least address priorities and if priorities can be set based on risk. He stated the importance of assuring participation by individuals who can derail the process and stated the concern that the NOAA is not at the table. Mr. Goldbeck stated the BCDC was awarded an \$800,000 Caltrans grant for adaptation planning with a \$400,000 match from the Metropolitan Transportation Commission (MTC). Transportation is critical infrastructure since it runs along the shoreline. The grant will be implemented through the Adapting to Rising Tides (ART) program in collaboration with the Bay Area Regional Collaborative (BARC). Mr. Coleman stated there is a new \$6 to \$8 million transportation bill by Frazier and Beall, which he is working on to include dredging and beneficial reuses. Mr. Goldbeck asked if adaptation is part of the scope. Mr. Coleman stated they are looking more at air quality and not shoreline resiliency, even though it is tied in. There is a gap there.

Chair Nelson stated he will discuss how to integrate the outputs of the Commission Workshops, Policies for a Rising Bay, and other sea level rise efforts with Chair Wasserman and report back at the next BFPWG meeting.

**4. Key Policy Issues for Habitat.** Ms. Goeden stated development-based policy issues, which will be a topic for the July meeting, sometimes overlap with the habitat-based policy issues being discussed today. As requested, in the meeting packet there was a list of seven issues focused on habitat based projects that may need fill as a climate change adaptation measure that the Working Group could address Policies was provided in the meeting packet.

Ms. Goeden provided an overview of the background and process of drafting the Inventory of Key Issues and reviewed the topics that were addressed:

- a. Minor Amounts of Fill for Habitat Purposes
- b. Adaptive Management
- c. Habitat Conversion
- d. Mitigation
- e. Approving “good fill”
- f. Fill for Restoration Projects After Breach
- g. Use of Dredged Sediment for Habitat Restoration

Chair Nelson asked that comments distinguish between issues that need an answer soon and issues that will first require a study program before decisions can be made. Chair Nelson stated both near-term changes and long-term strategies are required for Topic 7, Use of

Dredged Sediment for Habitat Restoration, and suggested that issue as a topic of discussion for today. He asked Commissioners for issues they thought should be discussed today.

Commissioner Katerina Galacatos suggested discussing Topic 1, Minor Amounts of Fill for Habitat Purposes. Chair Nelson agreed and stated there is overlap between the use of dredged materials and minor amounts of fill topics.

Commissioner McGrath agreed. He used Sonoma Creek as an example where habitat, flood control, and sustainability have not been optimized. He stated the importance of only intervening in areas that are stressed. Commissioner McGrath stated the critical question to ask is if the system is robust enough to adapt to sea level rise without intervention. The answer to that question, the intervention criteria, guides the timeline and is a better way to frame the key issues for priority evaluation. Chair Nelson stated the salt ponds have no sign of detectable down cutting in the mudflats and appear to be a more efficient trap. He stated the salt ponds would be considered a possible maybe in answer to Commissioner McGrath's critical question.

Anne Whittington, the Environmental Supervisor of the Port of Oakland, stated Ms. Goeden spoke of restoration time scales. She asked what time scales were being referred to. Ms. Goeden stated Jeremy Lowe, the Senior Environmental Scientist at the San Francisco Estuary Institute (SFEI), stated the existing marshes around the Bay may not need augmentation until approximately 2050 in terms of elevation capital. Ms. Goeden stated Mr. Lowe speaks of John Calloways's work around the Bay. The elevation capital does not address the front erosion of marshlands. Chair Nelson summarized that Commissioner discussion today will center around Inventory Key Issue Topics 1 and 7. Commissioner McGrath suggested including Topic 6, Fill for Restoration Projects After Breach. Chair Nelson agreed that they all concern timing. Near term, the Commission said it would limit projects like Middle Harbor until results are seen. Also near term, the next in-Bay dredging project material may go in salt ponds, which does not require a change in policy.

Chair Nelson stated the need to facilitate demonstration projects. Ms. Goeden stated there is a current proposal by Caltrans about placing dredge material over the imploded rubble of Bay Bridge piers to fill scour holes left by the old Bay Bridge piers. Caltrans is in the process of considering the best option to restore the Bay bottom in this area, which is also a mitigation project. It is possible that the Commission will see a subtidal habitat project soon if CalTrans proceeds with this concept.

Chair Nelson stated the need to encourage smart demonstration projects to learn what works and how to design successful projects on a large scale. He asked if the "Middle Harbor" policy interferes with demonstration projects. He suggested discussing the preferred types of projects for the future. Commissioner McGrath stated the lesson learned at the Middle Harbor project is the need to establish a feedback analytical process as a continuous learning loop. He stated whether lessons are better learned in small, medium, or large demonstration projects is an unresolved question. Chair Nelson stated there are two questions: are there demonstration projects that are necessarily large enough to credibly approve them as minor fill, and is that desired? Commissioner McGrath stated the construction of the new Bay Bridge entailed

dredging and thirteen acres of eel grass, but the project was too small to change the habitat. The eelgrass is healthier in the Bay than it's ever been, given the right substrate. Mr. Goldbeck stated one of the bottom lines is scalability. Sometimes small demonstration projects cannot be scaled up, or projects do not work on a small scale because they just wash away. Elevations may need to be raised to increase eelgrass beds over time. Living shorelines help protect shorelines, while primarily built to protect the shoreline from erosion and also have habitat features, such as oyster production. Mr. Goldbeck stated there are many resiliency habitat projects that will impact subtidal habitats.

Ms. Goeden discussed Cullinan Ranch, a large restoration site that is deep, and unlikely to fill in naturally for many decades if at all due to sea level rise. This project, while already breached to the Bay may be a good location to do an in-bay placement demonstration site as it is nearly fully contained and a large site that needs sediment to reach desired elevations. Commissioner McGrath discussed other areas that are potentially in need of sources of sediment, such as Muzzi Marsh in Corte Madera. Commissioner Galacatos gave the examples of different approaches used in Redwood City, Sears Point, Hamilton, and Sonoma Bay with sediment accretion and wave brakes. Commissioner McGrath stated tombolos might represent a small demonstration project, as opposed to a barrier island style that could not be done in a way that is small enough. Matt Brennan, ESA, stated new channels through the mudflats would be put in during construction of the new ferry service into the South Bay. This would convert intertidal mudflats into subtidal ferry channels. Ms. Goeden stated the Army Corps of Engineers with LTMS funding is heading up the Strategic Placement Framework Project and is looking at three scenarios: placing sediment and allowing it to wash into the marshes, thin-layer marsh augmentation, and rainbowing. Chair Nelson stated the need to begin formulating recommendations from today's discussion. He summarized that Commissioners had asked how to design successful projects and how to design enough post-implementation work so the projects are successful. That can be done without policy change.

Commissioner McGrath summarized Commissioner suggestions:

- Degraded habitat (Sonoma Creek) or unsustainable habitat. Only intervene where there is strong evidence that the natural system is not sufficiently robust to be sustainable in the short- to medium-term.
- Demonstration projects on a scale that produces scientifically valid results.
- Recognize and utilize existing scientific mechanisms to gather and exchange information, such as the biennial State of the Estuary Conference.

Commissioner Brush stated all these issues need to be addressed, so it is important to inject a sense of urgency into addressing policies. He suggested crafting a list of points to be used as a threshold test for future projects.

Ms. Goeden asked if staff should continue to prepare the key policy issues for development for the next meeting or continue with the key policy issues for habitat. Chair Nelson suggested continuing the habitat issue conversation at the beginning of the next

meeting and then presenting the development issues. Commissioner McGrath agreed and suggested including discussion on how Measure AA should be considered in terms of this context. Ms. Whittington suggested including Mr. McGrath's comment about ensuring that projects are successful into the policy analysis staff is doing.

Mr. Brennan stated South Bay Salt Ponds has an adaptive management plan with its own science conference. It is large enough that it has its own plan, but is at a scale that covers the different parts of South Bay Salt Ponds and has its own science trajectory.

5. **Adjournment.** There being no further business, Chair Nelson adjourned the meeting at 12:36 p.m.